



Wylie City Council

Minutes

Wylie City Council Meeting

Tuesday, March 8, 2011 – 6:00 p.m.

Wylie Municipal Complex – Council Chambers

300 Country Club Road, Bldg. 100

Wylie, TX 75098

CALL TO ORDER

Announce the presence of a Quorum.

Mayor Eric Hogue called the meeting to order at 6:06 p.m. with the following Wylie City Council members present: Mayor pro tem Red Byboth, Councilwoman Kathy Spillyards, Councilman Carter Porter, Councilman Rick White, Councilman David Goss, and Councilman Bennie Jones.

Staff present were: City Manager, Mindy Manson; Assistant City Manager, Jeff Butters; Planning Director, Renae' Ollie; Fire Chief, Randy Corbin; Police Chief, John Duscio; WEDC Executive Director, Sam Satterwhite; City Engineer, Chris Holsted; City Secretary, Carole Ehrlich; Public Information Officer, Craig Kelly, and various support staff.

INVOCATION & PLEDGE OF ALLEGIANCE

Fire Chief Randy Corbin gave the invocation and Planning Director Renae' Ollie led the Pledge of Allegiance.

PRESENTATION

- **Presentation of 4th 6 weeks Star Students – Character Trait: Trustworthiness.**

Mayor Hogue and Mayor Pro Tem Byboth presented medallions to students demonstrating the character trait of "Trustworthiness." Each six weeks one student from each WISD campus is chosen as the "star student."

- **Presentation of Proclamation acknowledging Telecommunication Week.**

Mayor Hogue announced the proclamation acknowledging Telecommunication Week would be presented at a later date.

CITIZENS COMMENTS ON NON-AGENDA ITEMS

Residents may address Council regarding an item that is not listed on the Agenda. Residents must provide their name and address. Council requests that comments be limited to three (3) minutes. In addition, Council is not allowed to converse, deliberate or take action on any matter presented during citizen participation.

Don Hallum, residing at 301 Rush Creek Drive, Wylie, addressed council presenting an update of activities scheduled by the Wylie Advocates for Senior Activities (WASA), a non-profit organization. He reported the organization was beginning fund raisers to obtain funding to assist with the renovation of the old library to a senior center.

CONSENT AGENDA

All matters listed under the Consent Agenda are considered to be routine by the City Council and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

- A. Consider, and act upon, approval of the Minutes of the February 22, 2011 Regular Meeting of the Wylie City Council & the Minutes of the March 1, 2011 Work Session. (C. Ehrlich, City Secretary)
- B. Consider, and place on file, the Monthly Revenue and Expense Report for the Wylie Economic Development Corporation as of January 31, 2011. (S. Satterwhite, Executive Director, WEDC)
- C. Consider, and act upon, Ordinance No. 2011-06 amending Sections 2.09 & 2.10 of Ordinance No. 98-15 & Concept Plan of the Woodbridge Subdivision to increase the minimum dwelling size from 1,600 s.f. to 1,800 s.f. and to allow a minimum lot size of 5,500 s.f. (R. Ollie, Planning Director)
- D. Consider, and act upon, Ordinance No. 2011-07 amending PD 2000-22B & Concept Plan of the Estates of Creekside to decrease the front yard setback with the purpose of increasing the width of the main collector road into the subdivision and to delete 0.9 acres of ETJ land included in current PD, generally located south of Parker Road and approximately ½ mile west of Country Club Road. ZC 2011-02 (R. Ollie, Planning Director)
- E. Consider, and act upon, Ordinance No. 2011-08 amending Ordinance No. 2011-04 and Exhibit "A" of Ordinance No. 2009-12 (Consolidated Fee Ordinance), Section I, Subsection B (Water Rates) and Subsection C (Sewage Collection and Treatment Rates). (C. Holsted, City Engineer)

Councilman Jones requested that Item C be removed from the consent agenda and considered individually. Consensus of the council was to remove and consider individually.

Council Action

A motion was made by Councilman White, seconded by Councilman Goss to approve the Consent Agenda as presented with the exception of Item C. A vote was taken and the motion passed 7-0.

REGULAR AGENDA

General Business

- C. **Consider, and act upon, Ordinance No. 2011-06 amending Sections 2.09 & 2.10 of Ordinance No. 98-15 & Concept Plan of the Woodbridge Subdivision to increase the minimum dwelling size from 1,600 s.f. to 1,800 s.f. and to allow a minimum lot size of 5,500 s.f. (R. Ollie, Planning Director)**

Council Discussion

Councilman Jones asked Planning Director Ollie why this item was coming back to council since the item was approved at the last meeting. Planning Director Ollie explained that zoning cases are heard by the council and approved/denied without an ordinance. At the next regular council meeting the item is placed on Consent as an action item with the proper ordinance number and any items added or deleted by council during the previous action. She explained this process only allowed approved zoning changes to be given a number and ordinance. Those denied would not be placed on consent for final action by ordinance.

Council Action

A motion was made by Mayor pro tem Byboth, seconded by Councilwoman Spillyards to adopt Ordinance No. 2011-06 amending Sections 2.09 & 2.10 of Ordinance No. 98-15 & Concept Plan of the Woodbridge Subdivision to increase the minimum dwelling size from 1,600 s.f. to 1,800 s.f. and to allow a minimum lot size of 5,500 s.f. A vote was taken and the motion passed 6-1 with Mayor Hogue, Mayor pro tem Byboth, Councilwoman Spillyards, Councilman Jones, Councilman White, and Councilman Porter voting for and Councilman Goss voting against.

1. **Consider, and act upon, Ordinance No. 2011-09 amending Ordinance No. 2010-17 for Wylie Economic Development Corporation Budget Amendments approved by the WEDC Board of Directors on January 21, 2011 for fiscal year 2010-2011. (S. Satterwhite, Executive Director, WEDC)**

Staff Comments

Wylie Economic Development Corporation Executive Director Satterwhite addressed council stating that on November 22, 2010 WEDC staff received confirmation that funds had been wired to ANBTX from Ascend Custom Extrusions, LLC for the benefit of the WEDC. The fund amounts were \$500,000 and \$139,250 which were then deposited into the General Funds for the City of Wylie.

Satterwhite explained that the \$139,250 is to pay 50% of the Holland acquisition cost (\$225,000), relocating Holland improvements (\$50,550), and estimated closing costs (\$3,000). The \$500,000, per the Commercial Lease Agreement, is to fund interim interest on the construction loan, loan closing costs, payment of the construction manager, and other expenses associated with the construction of the building, but not funded out of the construction loan. The Commercial Lease calls for no less than \$300,000 to be paid down on the construction loan. To properly account for these funds, a Budget Amendment must be approved to increase revenue in an amount equal to the wire deposits (\$639,250).

The second Budget Amendment will then deposit funds back into the Land account for 50% of the Holland acquisition with the remainder being placed into the newly created "Building Account."

Council Action

A motion was made by Councilman White, seconded by Mayor pro tem Byboth to adopt Ordinance No. 2011-09 amending Ordinance No. 2010-07, for Wylie Economic Development Corporation Budget Amendments approved by the WEDC Board of Directors on January 21, 2011 for fiscal year 2010-2011. A vote was taken and the motion passed 7-0.

READING OF ORDINANCES

Title and caption approved by Council as required by Wylie City Charter, Article III, Section 13-D.

City Secretary Ehrlich read the captions of Ordinance Nos. 2011-06, 2011-07, 2011-08 and 2011-09 into the official record.

Mayor Hogue announced there would be no executive session or possible action needed at this meeting but would be brought back at a later date.

EXECUTIVE SESSION

Recess into Closed Session in compliance with Section 551.001, et.seq. Texas Government Code, to wit:

§§ 551.071 – Consultation with Attorney

Meeting with City Attorney regarding a matter(s) in which the duty of the City Attorney under the Texas Disciplinary rules of Professional Conduct of the State Bar of Texas conflicts with the Open Meetings Act regarding:

- Receive legal advice regarding the Development Agreement by and between the City and Lavon Partners, L.P.

RECONVENE INTO REGULAR SESSION

General Business


2. Consider and act upon authorizing the City Manager to execute a Development Agreement by and between the City of Wylie and Lavon Partners, L.P. (M. Manson, City Manager)

No Action was taken on this item.

ADJOURNMENT

With no further business before the Wylie City Council, a motion was made by Councilman Goss, seconded by Councilman Jones to adjourn the meeting at 6:33 p.m. A vote was taken and the motion passed unanimously.

ATTEST:


Carole Ehrlich, City Secretary

